

The Sydney Morning Herald.

"IN MODERATION PLACING ALL MY GLORY, WHILE TORIES CALL ME WHIG—AND WHIGS A TORY."

TERMS OF SUBSCRIPTION.

Sydney, Fifteen Shillings per Quarter. Single Numbers, Sixpence. Country, Seventeen Shillings and Sixpence per Quarter. Ten per cent. discount for payment in advance, and ten per cent. added if accounts are allowed to run over six months.

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The "SYDNEY MORNING HERALD" is Published every Morning (Sundays excepted); and the Quarters and the 1st March, 20th June, 20th September, and 31st December; at which periods our Subscribers decline by giving Notice and paying the amount due to the end of the Current Quarter ADVERTISEMENTS must specify on the face of them the number of times they are intended to be inserted, or they will be continued till countermanded, and charged to the party. No Advertisements can be withdrawn after Eleven o'clock, a.m., but new ones will be received until Nine o'clock in the Evening. No verbal communications can be attended to, and all letters must be post-paid or they will not be taken in.

SPECIAL NOTICE.
The Subscribers to this Paper, and the Public generally, are respectfully informed, that the following Rules are strictly adhered to:

In Sydney.—The Subscription is 15s. per quarter, or £3 per annum; if paid in advance, an allowance of ten per cent. is made. No new Subscribers can be received without paying in advance.

In the Country.—The Subscription is 17s. 6d. per quarter, or £3 10s. per annum; if paid in advance, an allowance of ten per cent. is made. No new Subscribers can be received without paying in advance. The Proprietors must be furnished at the time with a written undertaking that all future payments, both for subscription and charges of advertisements, shall be made in Sydney, or by the hands of an Agent.

In all cases, whether in Town or Country, the names of persons will be struck off the subscription list, when the arrears against them have stood over twelve months, and proceedings for recovering the amount due will be instituted.

Advertisements must be paid for previous to their insertion.

STEAMER TO CLARENCE RIVER.
THE WILLIAM THE FOURTH will leave for the above district This Day, the 3rd September, at 7 a.m. Kellie's Wharf. 3173

FOR PORT MACQUARIE.
THE Steam Packet MAITLAND, W. Parsons, master, will leave for the above Port on Friday, the 6th instant, at 6 o'clock, p.m. Commercial Wharf, Sept. 2. 3275

STEAM TO MORETON BAY.
THE STEAMER SOVEREIGN Henry Cape, Commander, will leave Sydney for Brisbane, on Thursday evening next, the 4th instant, at 6 o'clock precisely.

FARES AND FREIGHTS AS USUAL.

NOTICE.—Shippers requiring their Goods to be landed at Kangaroo Point, North or South Brisbane, are requested to be particular in having them so addressed; and passengers are requested to pay their Fares at the Office on the Wharf, previous to the hour of sailing.

FRANCIS CLARKE, Manager. Hunter River Steam Navigation Company, Sydney, 1st September. 3218

STEAM TO PORT PHILLIP AND VAN DIEMEN'S LAND.

NOTICE.—The first-class iron steam ship SHAMROCK, G. Gilmore, commander, will leave Sydney for Twofold Bay, Melbourne, and Launceston, on MONDAY, the 31st of March, at four o'clock, precisely.

FARES AND FREIGHTS AS USUAL.

Passengers are required to land their packages, for clearance at the Water Police, before 12 o'clock on the day of sailing.

FRANCIS CLARKE, Manager. Hunter River Steam Navigation Company, Sydney, 24th August. 2886

FOR PORT MACQUARIE.
THE Packet Schooner MARY ANN, Will be ready to receive freight THIS DAY, at the Union Wharf, and will sail on Thursday next. For freight or passage apply to the master, on board; or to

W.M. DALTON, Prince-street, September 8. 3334

FOR MORETON BAY.
THE fine fast-sailing schooner HARLEQUIN

will leave for the above settlement on Saturday next, the 6th instant, at 6 a.m. For freight or passage apply to Mr. Kellick's Wharf. Freight per ton dead weight. 3241

FOR HOBART TOWN.
THE well-known packet-brig LOUISA, 182 tons, W. N. Millon, Commander. This vessel has two cabins disengaged, and will sail as above. For freight or passage apply to Mr. Kellick's Wharf. Freight per ton dead weight. 3241

FOR MELBOURNE.
THE fine fast-sailing brig CHRISTINA, W. H. Saunders, master, will positively sail on Saturday next. For freight or passage apply to the master, on board; or to

A. B. SMITH AND CO., Sussex-street, August 30. 3163

FIRST VESSEL FOR ADELAIDE.
THE FINE PACKET BRIG EMMA, 136 tons register, Captain H. T. Fox. (The first vessel expected.)

Under engagement to sail within eight days of her arrival, having much of her cargo on board, for freight or passage, having suitable accommodation for cabin and steerage passengers, apply to

SHEPPARD AND ALGER, Hobart Town Packet Office, Queen-street. The Louis will receive freight this 3293

JAMES SIMMONS.

In addition to the extensive stock on hand, has received, by the last arrivals, a large stock of good slop clothing, extra stout muslin trousers, large sizes; stripe cotton, blue serge, very stout regatta, and worsted shirts.

With a large assortment of goods suitable for settlers, storekeepers, and shopkeepers.

General supplies furnished for out stations at the very lowest charge, £d on liberal terms.

Wool, tallow, and hides, purchased, or liberal advances made, if consigned to J. S. Friends in London or Liverpool.

N.B.—Prime Negrohead Tobacco, in or out of bond.

WHOLESALE WAREHOUSE,

PITT-STREET, Opposite the Union Bank. 3072

FOR AUCKLAND DIRECT,
TO SAIL ON THE 6TH SEPTEMBER.
THE FINE BRIG
ALFRED,
Captain Napper. For freight or passage, apply to J. B. METCALFE. September 1. 3119

FOR LONDON DIRECT.

THE fine fast-sailing British-built Brig ROYAL TAR, 238 tons register, Captain John Glass, having all her dead weight on board, will meet with quick despatch.

For light freight and steerage passage only, apply to

GRIFFITHS, FANNING, & CO., Spring-street. August 12. 2268

FOR LONDON.

THE fine fast-sailing barque CASHMERE, 181, 370 tons register, H. Mackie, Commander. Has a great part of her cargo already engaged, and will meet with quick despatch.

For freight or passage apply to the Captain on board, at Campbell's Wharf, or to

ROBERT HOW AND CO., Sydney, August 22. 2708

FOR LONDON.

THE fast-sailing, four years old, Liverpool-built ship URGENT, 408 tons register, J. C. Tucker, Commander. Has now a great portion of her cargo on board, and will have quick despatch; has superior accommodations for cabin and steerage passengers. Apply to

GILCHRIST AND ALEXANDER, Lower George-street. August 30. 3166

FOR LIVERPOOL.

THE first vessel, THE BARGE ROSSENDALE, 1, 300 tons, E. D. Goulding, Commander, has only ten cabin disengaged, and room for about ten intermediate or steerage passengers. Apply to the Captain, on board; to

JOHN ROSTRON, on to J. B. METCALFE. September 2. 3220

FOR FREIGHT OR CHARTER.

THE fine British-built Brig GENEVIEVE, 161 tons, Charles Broughton, commander, after being reconditioned on the Patent Slip, will be ready for sea in a few days. Apply to the Captain, on board, or to J. B. METCALFE. August 30. 3106

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W.M. DALTON, Prince-street, September 8. 3334

EXCHANGE.

NOTICE is hereby given, that Bills of Exchange will be issued by this Bank, at the following rates:

On London—

At 60 days' sight... 1 per cent discount

50 " " Par.

On Edinburgh—

At 30 days' sight... 1 per cent. Par.

By Order of the Board,

L. DUGUID,

Managing Director.

Commercial Bank, Sydney, August 26, 1845. 3222

SYDNEY GENERAL TRADE LIST.

THE Seventy-sixth Number of the Shipping Gazette was published on Saturday, and will be continued every Saturday afternoon.

Contents:—Arrivals and Departures of Ships for the week; Imports and Exports for the month; Clevericks, the Shipping Intelligence of the week, including News from the Out-ports, England, Port Phillip, Van Diemen's Land, Tahiti, China, New Zealand, Manly's Tide Table; Return of revenue derived from vessels employed in the Coasting Trade during the years 1842, 1843, 1844. Mutiny on board the Ariel; the Falcon; Lazaroff Island; Whaleship at Lahaina; Ships loading for England; Commercial Remarks; Export Market; Colonial Products; Produce and Manufactured Goods; Quantity of Spirit and Tobacco in Bond; Captain G. Hope Market for South Australian Wheat, &c.

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KEMP AND FAIRFAX.

Proprietors.

* Advertisements received for the above

tilt o'clock on the mornings of publication. Terms same as for the Morning Herald.

By order of the Committee.

H. MONTGOMERY, Secretary.

Doors open at seven, lecture to commence at half-past seven o'clock.

JAMES SIMMONS.

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N.B.—Prime Negrohead Tobacco, in or out of bond.

WHOLESALE WAREHOUSE,

PITT-STREET, Opposite the Union Bank.

THE AUSTRALIAN CLERKS' BENEVOLENT FUND SOCIETY.
President—Stephen Greenhill, Esq.
Vice President—Mr. A. G. Dumas.

Messrs. R. Hunt, Post Office

Charles Appleton, Jun., Pitt-street.

D. Hutchinson, Supreme Court.

William Munce, Bott's Wharf.

Richard Garrett, Messrs. C. Appleton and Co's.

M. Lennon, Messrs. Ecclestone and

Hill's, Esq.

J. H. Flaherty, Clerk at the Hyde

Park Bench.

McAuliffe, Colonial Secretary's

Office.

Philip Shape, Principal Superintendent

of Convicts' Office.

TEASER.

BANKERS.

The Commercial Banking Company, Sydney.

SURGEON.

John Yates Rutter, Esq., 72, Castlereagh

street South.

HONORABLE MEMBERS.

SHIPPING INTELLIGENCE.

ARRIVALS.

September 2.—*Mureo*, brig, 225 tons, Captain Balcombe from Manila the 1st July. Passengers—Mr. W. Inglis, Mr. G. Baker.

September 2.—*Imman*, schooner, 90 tons, Captain Salmon, from Port Nicholson the 10th July, and Auckland, the 8th August. Passengers—Right Rev. Dr. Pompalier, Roman Catholic Bishop of New Zealand, and servant, Rev. W. Benson, Mr. W. Inglis, and Mr. G. Baker.

CLEARANCE.

September 2.—*Union*, brig, Captain Grainger, for Launceston. Passengers—Mr. Joshua Lyons, Mr. Solomon, Mr. McClure, Miss Dickson.

COASTERS INWARDS.

September 1.—*Pedler*, 18, Leslie, from Wollongong, with 120 bushels maize, 20 bushels wheat, 45 sides and 2 bales sole leather, 9 bales kid leather, 1 case kangaroo leather, 12 tons bark, 20 bags potatoes, 5 cwt. butter; *Ava*, 62, Somerville, from Newcastle, with 70 tons coal, 100 bags flour, 100 bags Macquarie, with 60 tons coal; *Harris*, 20, Nicholson, from Broome, with 30 tons potatoes; *Rose*, steamer, 172, Pattison, from Morphett, with 700 hides, 22 boxes candles, 900 sheepskins, 28 cases beef, 32 trunks hay, 200 sheep; *Comet*, 34, Thrower from Newcastle, with 48 tons coal; *Ruth*, 14, Dennis, from Pittwater, with 300 bushels shells; *Bridie*, 19, Mackenzie, from the Hawkesbury, with 6500 feet timber, 300 bushels maize, 20,000 shingles; *Triad*, 12, Connor, from Brisbane Water, with 12,000 shingles, 600 pallets; *Currency Lass*, 16, Legge, from Brisbane Water, with 200 bushels shells, 20,000 shingles, 3 tons salt, 69 bushels maize; *Dore*, 13, Bowden, from Brisbane Water, with 400 bushels shells.

September 2.—*Sarah*, 49, Potter, from Lake Macquarie, with 50 tons coal; *Mary Ann*, 52, Newnes, from Port Macquarie, with 7000 feet hard wood, 6000 feet cedar timber, 1000 shingles, 45 cases lime, 30 bushels maize, 1 cask and 2 bags tallow; *Hydes*, 30, Stewart, from the Moruya, with 30 tons potatoes, 80 bushels wheat; *Gorgonia*, 25, M. Pherson, from Wollongong, with 200 bags wheat, 100 bags maize, 30 bags potatoes, 40 bags butter, 18 boxes eggs, &c.; *Eton*, 12, Lane, from Brisbane Water, with 4500 feet timber, and 300 shingles.

COASTERS OUTWARDS.

September 1.—*Pedler*, 18, Leslie, for Wollongong, with sundries; *Ava*, 62, Somerville, for Newcastle, in ballast; *Ebenezer*, 49, Milne, for Lake Macquarie, in ballast; *Harris*, 20, Nicholson, for Pittwater, in ballast; *Rose*, steamer, 172, Pattison, for Morphett, with sundries; *Currency Lass*, 16, Legge, for Brisbane Water, with sundries; *William the Fourth*, steamer, 53, Wemyss, for the Clarence, with sundries; *Robusta*, 16, Noon, for Kiama, with sundries; *Dore*, 13, Bowden, for Brisbane Water, in ballast.

September 2.—*Brothers*, 10, Barber, for Broome, with sundries; *Eliza*, 25, M. Pherson, for Wollongong, with sundries; *Eles*, 12, Lane, for Brisbane Water, with sundries; *Ebenezer*, 49, Somerville, for Lake Macquarie, with sundries; *Sarah*, 49, Milne, for Lake Macquarie, in ballast; *Lapwing*, 20, Hickman, for Newcastle, with sundries; *May Queen*, 13, Christie, for the Hawkesbury, with sundries; *Kissis Ann*, 33, Hunter, for Batemans Bay, with sundries.

IMPORTS.

September 1.—*Louisa*, brig, 182 tons, Captain Milton, from Hobart Town;—Additional freight which was not entered in the Hobart Town Clearance—1 cask fruit, George Thorpe; 1 case preserves, J. Jacobs; 1 case, W. MacArthur; 1 bundle shanks, J. Allen; 39 bags hay; 1 cask Macnamara; 6 bags potatoes, M. James.

EXPORTS.

September 2.—*China*, brig, Captain Grainger, for Launceston:—20 boxes soap, J. W. Goulding; 6 pieces loaf sugar, Smith and Campbell; 40 logs cedar, 1 bale tweed, J. S. Willis; 23 logs cedar; 63 tons coal, M. Joseph; 200 bags salt; 200 bags flour; 1 cask wine; 1 case drams, Joshua Lyons; 13 casks lead, returned cargo; September 1.—*Orwell*, barque, Captain Tinley, for Calcutta:—61 horses, 2 tons old copper, H. Towns.

September 1.—*Theresa*, barque, Captain Bacon, for Culcutta: 2 horses, Donaldson and Co.; 90 horses, Campbell and Co.

PORT PHILLIP.

ARRIVAL.—August 25. *Martha* and *Elizabeth*, schooner, Pockley, master, from Sydney.

DEPARTURE.—August 25. *William Storck*, for London.

The brig *Nova*, from Liverpool before the overland mail left; also the *Arab*, from London. The former reported that the *Carabu*, with immigrants, sailed ten days before her for Port Phillip. The ship *Entomos* was laid on at Liverpool for Sydney. The *St. George*, hence January 5th, had arrived in the *St. George* prior to the 20th April. The schooner *Providence* was to leave Port Phillip for Sydney on the 27th ultimo. The *Guinea* was to leave there on the 29th ultimo for Adelaide and Mauritius. The *Hindoo* was full, and would sail on the 3rd of May. The *Thomas Lowry* had been got into port: the loss was great to the underwriters.

The *Moro* left this on the 26th April for Manila, with a cargo of 1000 bags sugar, 6100 bags sugar, 80 packages tea, 36 packages cigar, 600 coils tape, and 112 coils bale lashing. The schooner *Munford*, Captain Orr, left Manila on the 23rd June for Sydney. The *Antea* sailed thence for Macao on the 28th of June. The schooner *Osgrey* was to leave for Hobart Town in a few days, with tea and sugar. The voyage of the *Moro* has been effected in an unpreceded manner, so great being the distance of 200 miles of the *Hindoo*. She was on Wednesday last, when she was struck by a squall which carried away her fore-top-mast and the chief part of her sails. She saw the *Mountstuart Eclipse* and *Victor* on Sunday last, about thirty miles to the northward of the Heads, while vessels left here the preceding day. The following vessels were at *Guam* in February:—The *Quebec*, *William the Fourth*, with 120 tons coal; all bound for China; having put in to take on coal at the Chinese min yards, which had been carried away. The London whaler *Bromley*, with 120 barrels of sperm oil, having discharged 700 barrels at Manila; she was fitting out at *Guam* for the north-west coast.

The words of the Charter, touching the point in hand, are, that the Supreme Court shall have full power "to demand, require, take, hear, examine, and allow, and, if occasion require, to disallow and reject, the accounts of them, in such manner and form as is now used, or may be used, in the said diocese of London, and to do all other things whatsoever needful and necessary in that behalf." The precedent to which the Court is expected to conform, the usage in the diocese of London. What that usage is we know not; but even supposing Mr. Lane to be correct in denying that it is in keeping with the "manner and form" now introduced by our Judges, we should be disposed to think that the final words—"and to do all other things whatsoever needful and necessary in that behalf"—relieves them from the obligation to conform to that precedent, whenever they may deem it "needful and necessary" to do otherwise.

Moreover, a subsequent clause in the Charter (the 17th) is still more explicit:—"And we do further will, order, and require, that the said Court shall fix certain periods when all persons to whom probates or wills and letters of administration shall be granted by the said Court, shall, from time to time, until the effects of the deceased person shall be fully administered, pass their accounts relating thereto before the said Court."

It is impossible not to agree with Mr. Lane, however, that if in the course they are now pursuing the learned Judges are right, the course taken by their predecessors during the previous one-and-twenty years was manifestly wrong. For, if their present interference with executors and administrators is really an act of imperative duty, it must follow, we presume, that from the year 1824 to the year 1845, the Judges of the Supreme Court of New South Wales were guilty of a systematic

neglect of duty—an imputation with which we should be reluctant to connect such names as those of Sir FRANCIS FORBES, Sir JAMES DOWLING, and Sir WILLIAM WESTBROOK BURTON. It seems to have been always considered by those learned and eminent personages that all that was required of them by their duty to the public was, that they should "demand, enquire, take, hear, and examine," the accounts of executors and administrators, only when moved to do so on the application of parties concerned.

It appears to us, that in selecting as their starting point the 1st January, 1833, the Judges have gone either too far or not far enough. They have gone six months farther back than in ordinary cases is allowed by the statute of limitations, and years farther back than is fair and equitable between man and man; but if neither the statute nor considerations of fairness were to be taken into account, why, then, we do not see what should have prevented their going back to the very beginning—namely, the year 1824.

Great fault has been found with that part of the new Rules which requires inventories to be filed within two months, and accounts within three months, from the date of the Rules. This certainly is, in our opinion, extremely, and quite unnecessarily, impatient and abrupt: for although the 5th Rule provides that "further time may be obtained by order of a Judge, on application for that purpose, (and sufficient cause being shown,) through the Registrar," yet, from the excessive shortness of the notice, many persons in the interior will probably not have heard of the Rules until after the expiration of the time limited. And, under any circumstances, the idea of calling upon persons to make up, within the short space of three months, accounts extending through the long term of six years and a half, and to be verified on "oath," does appear to us to be the very climax of the unreasonable and the harsh.

POWERS OF THE JUDGES.

In our journal of the 6th of March last, we directed public attention to the extraordinary powers with which certain Acts of Parliament and the Charter of King GEORGE the Fourth had invested the Judges of our Supreme Court: powers so enormous, that His Excellency Sir Granville Gibbs had felt it his duty to bring them under the special notice of the SECRETARY OF STATE, who readily admitted that they were "too large and unjustified," and suggested that the remedy lay with the local Legislature. On Friday last, the question was mooted in the Council by Mr. Cowper, who moved for and obtained a Select Committee "to enquire into the extent and exercise of the powers of legislation and taxation possessed by the Judges of the Supreme Court;" the Report of the Committee to be presented before the 1st of October next. Lord STANLEY's suggestion is, that a law should be enacted, providing that all new rules of Court should be laid before the Council for revision, "if required," upon which we remarked in our former article, that it would be better that the enactment should make it imperative that all new Rules passed during the recess of Council should be laid upon the table as soon as may be convenient after the commencement of each session.

In seconding Mr. Cowper's motion, Mr. Lamb adverted to another, though collateral subject—the way in which the Judges are now interfering with Executors and Administrators. By a set of rules passed by their Honors on the 17th June last, it is, amongst other things, directed, that "all Executors by whom the probate of any will shall have been obtained, and all Administrators to whom any letters of administration shall have been granted in this colony, at any time after the 1st day of January, 1839, and before the 30th day of June, 1844, do and shall severally, on or before the 30th day of September next, cause to be made and exhibited to, and filed in the Office of the said Registrar, a full, true, and just account of their respective administrations; and do and shall pass their several accounts before the Court, or, in vacation of the Judges thereof, at such time or times as shall be thereafter appointed."

The second object of the Association is that of a Friendly Society, to afford relief in sickness to members disabled from following their ordinary occupations. The applicants for membership must be certified to be in sound health and otherwise eligible. The rates of contribution are according to approved tables.

The third object is, on the principle of a life insurance society, to make a provision for the widow, children, or assigns of a member, in the event of his death. The like precautions are taken in the admission of members, and the like apportion of all and singular the goods, chattels, and credits, of the deceased testator, or intestate, as the case may be; and do and shall, on or before the 30th day of September next, cause to be made and exhibited to, and filed in the Office of the said Registrar, a full, true, and just account of their respective administrations; and do and shall pass their several accounts before the Court, or, in vacation of the Judges thereof, at such time or times as shall be thereafter appointed."

Mr. Lane questions the Judges' power to make these orders. Their authority, whatever it may be, is derived from the Charter issued by His Excellency the Governor on the 13th October, 1823; which Charter derived its own authority from the Act of Parliament 4 Geo. IV., c. 96, and was renewed and ratified by the 9th Geo. IV., c. 82.

The words of the Charter, touching the point in hand, are, that the Supreme Court shall have full power "to demand, require, take, hear, examine, and allow, and, if occasion require, to disallow and reject, the accounts of them, in such manner and form as is now used, or may be used, in the said diocese of London, and to do all other things whatsoever needful and necessary in that behalf." The precedent to which the Court is expected to conform, the usage in the diocese of London. What that usage is we know not; but even supposing Mr. Lane to be correct in denying that it is in keeping with the "manner and form" now introduced by our Judges, we should be disposed to think that the final words—"and to do all other things whatsoever needful and necessary in that behalf"—relieves them from the obligation to conform to that precedent, whenever they may deem it "needful and necessary" to do otherwise.

We perceive the chief reason which induced the members of the Legislative Council to reject the bill for the appointment of commissioners for lighting and paving Hobart Town, was similar to that with which Municipal Acts were opposed in Sydney; that the Council had not the power to pass such measures; that there should be no taxation without representation. Our readers will remember that at the time we combated this argument, and as we believe convinced many people of its futility, and as we consider that the appointment of a Board of Commissioners for the regulation of municipal matters is to be preferred, at any rate in the first instance, to the establishment of a Corporation, we are sorry that the measure proposed by Sir EDWARD WILMOT was rejected.

Moreover, a subsequent clause in the Charter (the 17th) is still more explicit:—"And we do further will, order, and require, that the said Court shall fix certain periods when all persons to whom probates or wills and letters of administration shall be granted by the said Court, shall, from time to time, until the effects of the deceased person shall be fully administered, pass their accounts relating thereto before the said Court."

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New South Wales and Van Diemen's Land.

We subjoin the Ways and Means for 1846:—

WAYS AND MEANS
For the Civil Service of Van Diemen's Land, with the probable Expenditure for the year 1846.

Estimated Revenue of 1846, £ 106,332 15 0
Estimated Expenditure of 1846, as per Estimate, £ 101,638 5 4 1

First Quarter—September 9, 25 m.p.t. 3 p.m.

TO CORRESPONDENTS.

We cannot undertake to insert letters respecting mud holes in the streets. Complaints of that nature should be made to the City Councillors.

THE Sydney Morning Herald.

WEDNESDAY, SEPTEMBER 3, 1846.

"Sworn to no master, of no seat am I."

ENGLISH NEWS.

We were tantalised yesterday, by the knowledge that English news to the 1st May was received in Melbourne on Tuesday morning, and that no one had had sufficient news to send a single newspaper or a scrap of news by the overland mail. Various reports were of course current, the most prominent one being that the Oregon question had been satisfactorily settled,—which of course cannot be known until the arrival of the June packet. A private letter from Melbourne states that wool was firm, but that tallow was reduced from 2s. to 3s. per cwt., from last advices.

POWERS OF THE JUDGES.

In our journal of the 6th of March last, we directed public attention to the extraordinary powers with which certain Acts of Parliament and the Charter of King GEORGE the Fourth had invested the Judges of our Supreme Court: powers so enormous, that His Excellency Sir Granville Gibbs had felt it his duty to bring them under the special notice of the SECRETARY OF STATE, who readily admitted that they were "too large and unjustified," and suggested that the remedy lay with the local Legislature. On Friday last, the question was mooted in the Council by Mr. Cowper, who moved for and obtained a Select Committee "to enquire into the extent and exercise of the powers of legislation and taxation possessed by the Judges of the Supreme Court;" the Report of the Committee to be presented before the 1st of October next. Lord STANLEY's suggestion is, that a law should be enacted, providing that all new Rules passed during the recess of Council should be laid upon the table as soon as may be convenient after the commencement of each session.

AUSTRALIAN CLERKS' BENEVOLENT FUND.

We regret we have not been able at an earlier date, nor are we now able at such length as we could wish, to treat of the valuable objects of this Association. These objects are three.

The first is, to afford a temporary relief to such of the members as may be thrown out of employment by casualties other than sickness. The administration of the relief here contemplated, is guarded by several regulations, such as, that each member of this class, shall, previous to his admission, be certified to be of good character and steady habits, and the situation held by him in all probability permanent, and that his loss of it shall have been occasioned by no fault of his own. The limitation of the relief to three months is such as will induce him, in case of his being deprived of employment as a clerk, by circumstances likely to prove generally and permanently unfavourable, to accept any other suitable employment that may offer, while it will be yet sufficient to sustain him through such adverse circumstances as he may fairly expect will amend.

The second object of the Association is that of a Friendly Society, to afford relief in sickness to members disabled from following their ordinary occupations. The applicants for membership must be certified to be in sound health and otherwise eligible. The rates of contribution are according to approved tables.

The third object is, on the principle of a life insurance society, to make a provision for the widow, children, or assigns of a member, in the event of his death. The like precautions are taken in the admission of members, and the like apportion of all and singular the goods, chattels, and credits, of the deceased testator, or intestate, as the case may be; and do and shall, on or before the 30th day of September next, cause to be made and exhibited to, and filed in the Office of the said Registrar, a full, true, and just account of their respective administrations; and do and shall pass their several accounts before the Court, or, in vacation of the Judges thereof, at such time or times as shall be thereafter appointed."

Mr. Lane questions the Judges' power to make these orders. Their authority, whatever it may be, is derived from the Charter issued by His Excellency the Governor on the 13th October, 1823; which Charter derived its own authority from the Act of Parliament 4 Geo. IV., c. 96, and was renewed and ratified by the 9th Geo. IV., c. 82.

The words of the Charter, touching the point in hand, are, that the Supreme Court shall have full power "to demand, require, take, hear, examine, and allow, and, if occasion require, to disallow and reject, the accounts of them, in such manner and form as is now used, or may be used, in the said diocese of London, and to do all other things whatsoever needful and necessary in that behalf." The precedent to which the Court is expected to conform, the usage in the diocese of London. What that usage is we know not; but even supposing Mr. Lane to be correct in denying that it is in keeping with the "manner and form" now introduced by our Judges, we should be disposed to think that the final words—"and to do all other things whatsoever needful and necessary in that behalf"—relieves them from the obligation to conform to that precedent, whenever they may deem it "needful and necessary" to do otherwise.

We perceive the chief reason which induced the members of the Legislative Council to reject the bill for the appointment of commissioners for lighting and paving Hobart Town, was similar to that with which Municipal Acts were opposed in Sydney; that the Council had not the power to pass such measures; that there should be no taxation without representation. Our readers will remember that at the time we combated this argument, and as we believe convinced many people of its futility, and as we consider that the appointment of a Board of Commissioners for the regulation of municipal matters is to be preferred, at any

SALES BY AUCTION.

HOUSEHOLD FURNITURE.
TO PARTIES FURNISHING, GENERAL
DEALERS, AND OTHERS.
MR. G. A. LLOYD will sell by auction, at the residence of Mrs. Wiles, Upper Fort-street,
On Saturday, 6th instant,
At eleven o'clock precisely.
Household Furniture of every description, consisting of—
Tables, chairs, couches
Bedsteads and bedding
Washstands, carpeting, &c.
Together with kitchen utensils
And a variety of other articles too numerous to mention.
Terms at sale. 2212

100 HEAD CHOICE CATTLE, WITH RIGHT TO THE EXTENSIVE AND DESIRABLE STATION.

Situates in the Liverpool Plains' district, and on which they are now depositing, capable as it is of carrying 3000 head of cattle, or
1000 CATTLE AND 7000 SHEEP,
Together with the numerous and substantial improvements which are erected upon it, comprising—
Two large Verandah Cottages
Strong Store and Kitchen
All requisite Huts, &c.
Two large Stockyards
Padock of ten acres
Cultivation within three acres
Fruit and Vegetable gardens
With every addition that could be desired concerning all the conveniences required on a station, and at the same time, being a most desirable residence for a gentleman and his family.

MR. MORT
HAS received instructions to offer by public auction, at his Rooms, George-street,
To-morrow, 4th September,
At 12 o'clock precisely,
AND WITHOUT ANY RESERVE,

The above choice and valuable herd of cattle, which will be found well bred, (principally Suffolk and Durham,) and remarkably quiet, with a large number of cows broken to the bell.

The Station, which is very extensive and abundantly watered, with never-falling springs, ponds, and creeks, is situated between the Gwydir and Big Rivers, and is fully calculated to carry the quantity of stock mentioned above; indeed it possesses all the advantages which are sought after in purchases of this kind, viz.—

LOCALITY AND EXTENT OF COUNTRY,
ABUNDANCE OF WATER AND FEED,
STOCK OF AN UNEXCEPTIONABLE BREED,
A FAMILY RESIDENCE WITH EVERY COMFORT.
The stores, Stock Horses, Furniture, &c., all may be taken at a valuation. Calves unbranded to be given in, and under six months, also right of brand.

TERMS:
Twenty-five per cent. cash deposit; the residue by approved bill or security on the stock. 2208

EXTENSIVE UNRESERVED SALE OF STATIONERY OF EVERY KIND,

FRIDAY, 5th SEPTEMBER,
COMMENCING AT ELEVEN O'CLOCK,
MR. MORT
Will sell by public auction, at his Rooms, George-street,
Without the least reserve,

On Friday, 4th SEPTEMBER,
Sale commencing at 11 o'clock,

THE following Extensive Assortment of Goods, embracing almost every article of Stationery in use, will be sold—
Two cases, containing of assorted Spellings, Major's Spellings, Walkington's Tutors, Dictionaries, Primers, and other school books

Four cases, containing rulers, quills, ink powders, black lines, steel pens, camel-hair brushes, colour boxes, reading books, violin strings, memorandum books, pencils, washers, paper knives, &c., &c.
Three cases, copy book, cyphering ditto, manuscript books of all kinds, copy slips, ledgers, day books, metallic books, &c.
Four cases, describing every description of school books, statuary for schools, &c.
Two cases quills, assorted qualities

Two cases wafers and sealing wax

One case boxes, water colours, &c.

Two cases ledgers, journals, day books, memorandum books, copy books, order books, receipt books, &c., &c.

Two cases, Schoolbooks, Hymns, Psalters, Watt's Hymns, Evening Tales, Cook's Voyages, Testaments, Tokens, Spellings, Ready Bookmarks, &c.
One case blotting covers, scrap books, lotteries, albums, cards, fire screens, pounce boxes, card cases, cribbage boards, slates, seals, &c., &c.
One case printing cards.

Terms at sale. 2205

IN THE INSOLVENT ESTATE OF THOMAS BARNE, OF HONEYBUCKLE FLAT, IN THE DISTRICT OF BATHURST.

"THE TRAFALGAR INN,"
DISTANT FROM BATHURST ONLY 23 MILES, ON THE HIGH ROAD FROM SYDNEY TO THAT PLACE.

TOGETHER WITH
ONE HUNDRED ACRES CHOICE LAND,

ON WHICH THE SAID INN IS ERECTED, BEING ALL THE VALUABLE IMPROVEMENTS AND OUTBUILDINGS THERETO ATTACHED.

MRS. MORT
Will sell by Public Auction, at his Rooms, George-street,
Tuesday, 11th September,
At twelve o'clock precisely.

THE above valuable and much frequented road side Inn, together with its various improvements, and the Land upon which the same are erected, consisting of 100 Acres.

THE TRAFALGAR INN, well known to travellers on the Bathurst Road, consists of—
Bar, tap-room
Two front parlours
Five bed-rooms
Large detached kitchen
Store-room and out-building
Two lodging rooms
Six-sailed arched and paved stable, with racks, &c., complete
Out-house for outlers
Pigstyes and stockyard
Large carriage shed
An extensive and well-stocked garden
&c., &c., &c.

The whole property is enclosed with a three-rail fence, and divided into suitable paddocks.

Terms at sale.

Further particulars may be learnt by applying to the Auctioneer.

EDWARD KNOX,
Officer Assignee.

3200

IMPORTANT AND VALUABLE ALLOTMENTS,

SITUATED AT JERVIS TOWN, JERVIS BAY; ALSO,
RAYMOND TERRACE ALLOTMENTS,
In an Assignment Estate, for positive sale.

MR. MORT
Has received instructions to sell by public auction, at his Rooms, George-street, on Thursday, September 11th,
At 12 o'clock,

178 ACRES, more or less, comprising the chief portion of the above valuable and improving Township at Jervis Bay, divided by judiciously-planned Alotments, of which a full and complete plan may be seen at the Rooms of the Auctioneer.

ALSO,
One half-acre allotment situated at RAYMOND TERRACE,

described as follows, viz.:—Alotment No. 1 of section 17, bounded by the north-east by two chains and fifty links of the coast west side of Glenig-street, bearing south forty degrees east; on the south-west by a line of two chains, bearing south forty degrees west; on the south-east by a line dividing it from Alotment No. 3, bearing north forty degrees north, two chains fifty links; and on the north-west by a line dividing it from Alotment No. 2, bearing north forty degrees east two chains to Glenig-street.

ALSO,
All that allotment or parcel of land, in the territory of New South Wales aforesaid, containing by admeasurement one rod, and sixteen perches, and situated in the town of Raymond Terrace, parish of Elgin, county of Gloucester, allotment No. 5 of section No. 1, five Allotments of Land in HARRINGTON AND ESSEX STREETS, with a frontage in all to Harrington-street of 132 feet, and to Essex-street of 20 feet and upwards.

No. 2.
TEN ACRES AT NELSON BAY,
Commanding a view of the ocean.

No. 3.
THREE FIVE-ACRE ALLOTMENTS, AT BONDY,

No. 4.
25 ACRES, AT THE KANGAROO GROUND, ILLAWARRA,

With all the improvements thereon, and commanding an extensive run for stock, as formerly occupied by the proprietor, A. B. Spark, Esq.

All necessary information as to the above lots will be supplied by the Auctioneer, and further particulars will be given in a future advertisement.

THIS DAY.

IMPORTANT SALE OF FRENCH GOODS.

HAS received instructions from Messrs. Pillet, Manier, and Co., to sell by auction, at his Rooms, Pitt-street,

THIS DAY, WEDNESDAY, THE 3RD SEPTEMBER,

At eleven o'clock precisely,

THE whole of the Stock-in-Trade, Fixtures, &c., consisting of—

White, black, and coloured Poult de Sois, sarments, Florence silks, Gros de Naples, camellions, barathées, fancy and Chiné dupaques, &c.

ALSO,

A large assortment of blonds, thread, Mechlin, and Valenciennes lace; muslin collars and pelieres, bonnets, shawls, handkerchiefs, de laines, perfumery, &c.

Terms at sale. 2201

TO CLOSE CONSIGNMENTS.

To Drapers, Hatters, Country Storekeepers, &c.

MRS. R. FAWCETT will sell by public auction, at his Sale Rooms, 481, George-street, on

THURSDAY, 4th SEPTEMBER,

At half-past 10 o'clock precisely.

One case ladies' silk hosey

One case cotton edgings

One case boy's caps, assorted, consisting of cloth, velvet, plush, and hair caps

Two cases men's superior brown and white hose

Four cases gent's black hats, assorted qualities

One case drab shell hats

One case assorted cotton and worsted hosiery and qualities

Two cases drab and miller's drab mosekin trousers

One case Lancashire flannels

One pair 54 and 72 inch grey domestics and sheetings

One case assorted haberdashery

One case superior duck frocks and trousers

One case super calico

One case consisting of coat and vest gilt, shirt, pearl, and flexible buttons, trouser-straps, &c., &c.

Terms at sale. 2207

IMPORTANT SALE OF FRENCH GOODS.

MRS. CHARLES NEWTON

Has received instructions from Messrs. Pillet, Manier, and Co., to sell by auction, at his Rooms, Pitt-street,

THIS DAY, 3RD SEPTEMBER,

The whole of the Stock-in-Trade, Fixtures, &c., consisting of—

White, black, and coloured Poult de Sois, sarments, Florence silks, Gros de Naples, camellions, barathées, fancy and Chiné dupaques, &c.

ALSO,

A large assortment of blonds, thread, Mechlin, and Valenciennes lace; muslin collars and pelieres, bonnets, shawls, handkerchiefs, de laines, perfumery, &c.

Terms at sale. 2207

EXTENSIVE UNRESERVED SALE OF DRAPERY AND SLOPS.

MRS. CHARLES NEWTON

Has received instructions to sell by public auction, at his Rooms, Pitt-street, on

FRIDAY, NEXT, 5th SEPTEMBER,

At 11 o'clock precisely.

Without the least reserve,

THIS DAY, 4th SEPTEMBER,

Sale commencing at 11 o'clock,

IMPORTANT SALE OF FRENCH GOODS.

MRS. CHARLES NEWTON

Has received instructions from Messrs. Pillet, Manier, and Co., to sell by auction, at his Rooms, Pitt-street,

THIS DAY, 3RD SEPTEMBER,

The whole of the Stock-in-Trade, Fixtures, &c., consisting of—

White, black, and coloured Poult de Sois, sarments, Florence silks, Gros de Naples, camellions, barathées, fancy and Chiné dupaques, &c.

ALSO,

A large assortment of blonds, thread, Mechlin, and Valenciennes lace; muslin collars and pelieres, bonnets, shawls, handkerchiefs, de laines, perfumery, &c.

Terms at sale. 2201

IMPORTANT SALE OF FRENCH GOODS.

MRS. CHARLES NEWTON

Has received instructions from Messrs. Pillet, Manier, and Co., to sell by auction, at his Rooms, Pitt-street,

THIS DAY, 3RD SEPTEMBER,

At 11 o'clock precisely.

Out of C. diamond, with 4 L over.

658.—7 pieces checks, damaged

659.—9 " much "

660.—8 " "

661.—11 " stripes "

662.—20 " grey domestics, damaged

663.—17 " "

G A 3—6.

2 bales, each 226 lbs, bleached cotton wick, damaged

11—12.

2 bales, each 226 lbs, fine cotton wick, damaged

Terms—Cash. 2206

DAMAGED CHECKS, DOMESTICS, AND COTTON WICK.

On account of whom it may concern, ex Cashmere, Mackie, Master, from Glasgow.

MRS. CHARLES NEWTON

Will sell by public auction, at his Rooms, Pitt-street,

FRIDAY, NEXT, 5th SEPTEMBER,

At 11 o'clock precisely.

Out of GA 215-218 123 Hemp Woolpacks, B 220-223] damaged

222 7 Pieces Hemp Wool-

baggings

Terms, esch. 2206

DAMAGED WOOLPACKS, AND WOOLBAGGING.

On account of whom it may concern, ex Graham, Munro, master, from London.

MRS. CHARLES NEWTON will sell by public auction, at his rooms, Pitt-street, on

FRIDAY, NEXT, 5th SEPTEMBER,

At 11 o'clock precisely.

Out of GA 215-218 123 Hemp Woolpacks, B